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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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ALL CITY PHARMACY, L.L.C., a domestic
limited liability company,

Plaintiff,

vs.

SENTINEL INSURANCE COMPANY, LTD., a
foreign corporation; DOES I through X, inclusive,
and ROE CORPORATIONS I through X,
inclusive,

Defendants.

CASE NO.: 2:22-CV-01750-GMN-DJA

**STIPULATION AND
ORDER TO EXTEND TIME FOR
DISCOVERY**

[FIRST REQUEST]

Pursuant to LR 6-1 and LR 26-3, the parties, by and through their respective counsel of record, hereby stipulate and request that this Court extend discovery in the above-captioned case by sixty (60) days, up to and including *Wednesday, November 8, 2023*, as a discovery cut off date. In addition, the parties request that all other future deadlines contemplated by the Discovery Plan and Scheduling Order be extended pursuant to Local Rule. In support of this Stipulation and Request, the parties state as follows:

1. On September 2, 2022, Plaintiff filed the Complaint.
2. This action was removed to Federal Court on October 19, 2022. (ECF No. 1).
3. On May 31, 2022, Defendant filed its answer to the complaint. (ECF No. 9).

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- 1 4. On December 14, 2022, the Court granted in part and denied in part the parties Joint
- 2 Discovery Plan and Scheduling Order. (ECF No. 16).
- 3 5. On January 6, 2023, Defendant served its Initial FRCP 26(f) Disclosures.
- 4 6. On February 9, 2023, Plaintiff served its Initial FRCP 26(f) Disclosures.
- 5 7. On February 24, 2023, Plaintiff served written discovery on Defendant.
- 6 8. On February 24, 2023, Counsel for the parties retained Hon. Betsy Gonzalez, (Ret.), to
- 7 act as a mediator, with a mediation calendared for May 24, 2023.
- 8 9. On April 11, 2023, Defendant responded to written discovery.
- 9 10. On May 3, 2023, the mediation was postponed due to a scheduling conflict. Efforts by
- 10 counsel to reschedule the mediation are ongoing.

DISCOVERY REMAINING

- 11 1. Depositions of the members and manager(s) of Plaintiff.
- 12 2. Depositions of the PMK(S) of Defendant.
- 13 3. Depositions of the prior employees of Plaintiff.
- 14 4. Depositions of Plaintiff's designated witnesses.
- 15 5. Depositions of the claims representative and claims manager of Defendant.
- 16 6. Depositions of Defendant's designated witnesses.
- 17 7. Designate Expert Witnesses.
- 18 8. Depositions of Expert Witnesses.
- 19 9. The parties may take the depositions of any and all other witnesses garnered through
- 20 discovery.
- 21

WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED

22 The parties aver, pursuant to Local Rule 26-3, that good cause exists for the following

23 requested extension. Both parties have made initial disclosures and Defendant has provided

24 responses to Plaintiff's written discovery. Further, additional time is requested so that the parties

25 can reschedule the mediation in this matter with Hon. Gonzalez (Ret.). Joint Discovery Plan and

26 Scheduling Order indicated that "the parties met and conferred about alternative dispute resolution,

27 have agreed to private mediation, and propose a relatively early deadline of June 2, 2023, for

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mediation.” Regrettably, though the mediation was initially scheduled for a date to meet this deadline, it needed to be vacated and efforts are underway to reschedule it for a mutually convenient date and time.

It’s the strong desire of the parties to attempt to resolve this dispute through mediation before spending considerable resources in additional discovery. The parties are working in good faith to mediate this matter, an act that, if successful, will save considerable and valuable time, money, and court resources.

This Request for an extension of time is not sought for any improper purpose or other purpose of delay. Rather, the parties seek this extension solely for the purpose of allowing sufficient time to resolve this case and, if necessary, complete discovery.

Extension or Modification of The Discovery Plan and Scheduling Order. LR 26-3 governs modifications or extension of the Discovery Plan and Scheduling Order. Any stipulation or motion to extend or modify that Discovery Plan and Scheduling Order must be made no later than twenty-one (21) days before the expiration of the subject deadline and must comply fully with LR 26-3. This request to extend the deadlines is made more than 21 days before the expiration of any deadline.

This is the first request for extension of time in this matter. The parties respectfully submit that the reasons set forth above constitute compelling reasons for the requested extension.

The following is a list of the current discovery deadlines and the parties’ proposed extended deadlines:

Scheduled Event	Current Deadline	Proposed Deadline
Discovery Cut-off	Friday, September 8, 2023	<i>Wednesday, November 8, 2023</i>
Deadline to Amend Pleadings or Add Parties	Thursday, June 8, 2023	<i>Tuesday, August 8, 2023</i>

Scheduled Event	Current Deadline	Proposed Deadline
Expert Disclosure pursuant to FRCP 26 (a)(2)	Friday, July 7, 2023	<i>Thursday, September 7, 2023</i>
Rebuttal Expert Disclosure pursuant to FRCP. 26(a)(2)	Monday, August 7, 2023	<i>Monday, October 9, 2023</i>
Dispositive Motions	Friday, October 6, 2023	<i>Friday, December 8, 2023</i>
Joint Pretrial Order	Monday, November 6, 2023	<i>Monday, January 8, 2024</i>

WHEREFORE, the parties respectfully request that this Court extend the discovery period by sixty (60) days from the current deadline of September 8, 2023, up to and including November 8, 2023, and the other dates as outlined in accordance with the table above.

DATED this 1st day of June, 2023.

DATED this 1st day of June, 2023.

BULLIVANT HOUSER BAILEY PC

VANNAH & VANNAH

/s/ Andrew B. Downs

/s/ John B. Greene

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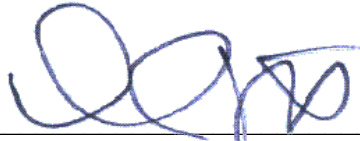
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ORDER

IT IS SO ORDERED that the parties' stipulation to extend discovery (#18) is GRANTED.

DATED this 2nd day of June, 2023.



DANIEL J. ALBRECHTS
UNITED STATES MAGISTRATE JUDGE

May 29, 2023, 2:26 PM (3 days ago)

Downs, Andrew

to Darren, me, Robert

John –

Pardon my delay – I got yanked back out of town the beginning of last week for an unexpected in person deposition in Dallas.

The stip is fine with my address corrected which I've done on the attached. You may /s/ it as revised.

I'm working on mediation dates next.

Andy